

**House File 312 - Reprinted**

HOUSE FILE 312  
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO HSB 87)

(As Amended and Passed by the House March 12, 2013)

**A BILL FOR**

1 An Act providing for certification requirements by persons  
2 involved in the management of manure, and including  
3 provisions for contingent implementation.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 459.315, subsection 3, Code 2013, is  
2 amended to read as follows:

3 3. The department shall adopt, by rule, requirements for  
4 the certification, including educational program requirements.  
5 The department may establish different educational programs  
6 designed for commercial manure service representatives and  
7 confinement site manure applicators. The department shall  
8 adopt rules necessary to administer this section, including  
9 establishing certification standards, ~~which shall at least~~  
10 ~~include standards for~~ and continuing instructional courses as  
11 provided in this subsection.

12 a. The department shall adopt rules establishing subjects  
13 for continuing instructional courses that emphasize practical  
14 and cost-effective methods to prevent manure spills and  
15 limit the impact of manure spills, especially from manure  
16 storage structures. The subjects may also include methods  
17 for transporting, handling, storing, and or applying manure;  
18 identifying the potential effects of manure upon surface water  
19 and groundwater; and procedures to remediate the potential  
20 effects of manure on surface water or groundwater.

21 ~~a. b.~~ The department shall adopt by rule criteria for  
22 allowing a person required to be certified to complete either  
23 a written or oral examination.

24 ~~b. c.~~ The department shall administer the continuing  
25 instructional courses, by either teaching the courses or  
26 selecting persons to teach the courses, according to criteria  
27 as provided by rules adopted by the department. The department  
28 shall, to the extent possible, select persons to teach the  
29 continuing instructional courses. The department is not  
30 required to compensate persons to teach the continuing  
31 instructional courses. In selecting persons, the department  
32 shall consult with organizations interested in transporting,  
33 handling, storing, or applying manure, including the Iowa  
34 commercial nutrient applicators association and associations  
35 representing agricultural producers. The Iowa cooperative

1 extension service in agriculture and home economics of Iowa  
 2 state university of science and technology shall cooperate with  
 3 the department in administering the continuing instructional  
 4 courses. The Iowa cooperative extension service may teach  
 5 continuing instructional courses, train persons selected to  
 6 teach courses, or distribute informational materials to persons  
 7 teaching the courses.

8 d. The department shall provide that the continuing  
 9 instructional courses be made available via the department's  
 10 internet site, the internet site of a person selected to teach  
 11 the continuing instructional courses, or the Iowa cooperative  
 12 extension service in agriculture and home economics of Iowa  
 13 state university of science and technology.

14 ~~e.~~ e. The department, in administering the certification  
 15 program under this section, and the department of agriculture  
 16 and land stewardship, in administering the certification  
 17 program for pesticide applicators, may cooperate together.

18 Sec. 2. CONTINGENT IMPLEMENTATION. The department of  
 19 natural resources shall fully implement section 459.315,  
 20 subsection 3, paragraph "d", as enacted by this Act, as  
 21 follows:

22 1. The department of natural resources must establish  
 23 and administer a development project to effectuate the  
 24 provision. The department shall begin the development project  
 25 contingent upon being appropriated necessary moneys by the  
 26 general assembly to support the project. The department shall  
 27 complete the development project within twelve months after the  
 28 effective date of the appropriation.

29 2. The department shall fully implement section 459.315,  
 30 subsection 3, paragraph "d", as enacted by this Act, within  
 31 twelve months after the development project is completed as  
 32 provided in subsection 1.

33 3. Section 459.315, subsection 3, paragraph "d", is  
 34 repealed on July 1, 2018, if the general assembly does not  
 35 appropriate necessary moneys to the department of natural

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1 resources, as provided in subsection 1, by that date.